

25.3800 PCT/Cont. V

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

STEVEN C. CLARK ET AL.

Application No.: 08/466,308

Filed: June 6, 1995

For: RECOMBINANT HUMAN
GRANULOCYTE MACROPHAGE-
COLONY STIMULATING
FACTOR (GM-CSF)

Examiner: Prema Mertz, Ph.D.

Group Art Unit: 1646

July 24, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

JUL 29 1998

GROUP 1800

RESPONSE TO OFFICE ACTION
AND SUBMISSION OF TERMINAL DISCLAIMER

Sir:

Applicants respond to the Office Action remailed
May 29, 1998 (Paper No. 12), in the above-identified
application, as follows:

REMARKS

Claims 1-3, 5-8, 14 and 16 stand rejected under the
judicially created doctrine of obviousness type double
patenting. Although this rejection is respectfully
traversed, solely in order to reduce the issues, an executed
Terminal Disclaimer accompanies this letter. Also enclosed
is a check in the amount of \$110.00 under 37 C.F.R.
§ 1.129(d) to cover the fee for filing the statutory
disclaimer (37 C.F.R. § 1.321). Any deficiencies may be
charged to our deposit account No. 06-1205.